IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

And
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 23930 of 2004

Between:

1 Ch.Krishna Murthy, s/o Kataru Raju, Assistant Beat Officer,
Office of the Forest Range Officer, Guntur Range, Paryavaran Complex,
Opposite Zilla Parishad, Guntur.
2 S.B.R.Krishna Reddy, s/o Manikyala Reddy, Assistant Beat Officer,
Office of the Forest Range Officer, Guntur Range, Paryavaran Complex,
Opposite Zilla Parishad, Guntur.

..... PETITIONERS

AND

1 The Government of Andhra Pradesh, represented by its Principal Secretary to Government, Environment, Forests Science and Technology Department, A.P.Secretariat, Hyderabad.
2 The Principal Chief Conservator of Forests, Tuljaguda Complex,
M.J.Road, Hyderabad.
3 The Divisional Forest Officer, Guntur, Guntur Division, Guntur District.
4 G.Chennakesava Rao, Assistant Beat officer,
Minchalapadu Beat, Mancherla Range, Guntur Division, Guntur District.
5 K.Venkateswarlu, Assistant Beat Officer,
Thummurukota Beat, V.P.South Range, Wild Life Management, Nagarjunasagar Division, Guntur District.
6 S.Venkateswarlu, Assistant Beat Officer,
Koppunoor Beat, V.P.South Range, Wild Life Management, Nagarjunasagar Division, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of a writ of

mandamus declaring the order of the Hon'ble Tribunal in O.A.No.4873 of 2004, dated 23-11-2004 as far as para 3 & 4 is concerned in granting seniority from the date of initial appointment to the respondents 4 to 6 as arbitrary and illegal and set aside the same.

Counsel for the Petitioners: MR.S.SATYAM REDDY

PTO

Counsel for the Respondent Nos.1 to 3: GP FOR SERVICES I

Counsel for respondents 4 to 6: Mr.V.Jagdish

The Court made the following:

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ORAL ORDER: (per GB.J.)

The Writ Petition is filed assailing the order passed by A.P. Administrative Tribunal (for short Tribunal) in O.A.No.4873 of 2004, dated 23.11.2004.

2. The first petitioner was the 4th respondent in the above OA. The applicants therein filed the said OA for reckoning their seniority from the date of their initial appointment in the post of Watcher-cum-Workers. In the said O.A., the first petitioner herein was impleaded on 27.10.2004 as 4th respondent. However, without hearing him, the Tribunal disposed of the OA with some directions. Against the said order, the present Writ Petition has been filed.

3. The only contention raised by the learned counsel for the petitioners is that though Ch.Krishna Murthy was impleaded as 4th respondent in the OA., without even the notice having been served on him, the order was passed by the Tribunal, and thus the order is liable to be set aside.

4. We have heard the learned Government Pleader for Services-I for respondents 1 to 3 and Mr.S.Jagdish, learned counsel for the unofficial respondents.

5. Inasmuch as the first petitioner was not heard even though he was made a party, we are of the considered view that the matter requires reconsideration in the hands of the Tribunal.

6. Accordingly the Writ Petition is allowed and the order of the Tribunal is set aside and the matter is remitted back to the Tribunal for fresh consideration in accordance with law. The Tribunal shall issue notice to the parties concerned and hear them and pass orders within a period of two (02) months from the date of receipt of a copy of this order. No costs.

(G.BIKSHAPATHY, J.)

15th March, 2005.

SSR (P.S.NARAYANA, J.)

Issue copy in two days.

(BO)

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Principal Secretary to Government, Environment, Forests Science and Technology Department, Government of Andhra Pradesh, A.P.Secretariat, Hyderabad.
2 The Principal Chief Conservator of Forests, Tuljaguda Complex, M.J.Road, Hyderabad.
3 The Divisional Forest Officer, Guntur, Guntur Division, Guntur District.
4 The Registrar, A.P. Administrative Tribunal, Hyderabad.

5 2 CCs to G.P. for Services-I, High Court of A.P. Hyderabad. (OUT)

6 2 CD copies

*Form-NIC-OGS/WP{**RS**}*

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